

PATENT  
Docket No. 104914.132 US2

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Applicant: Palasis )

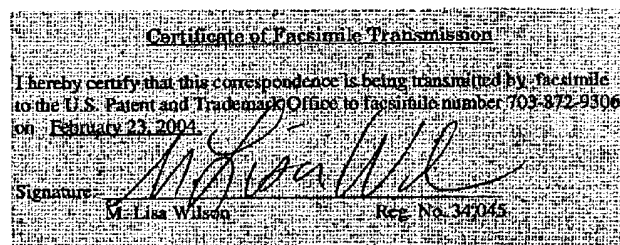
Serial No.: 10/057,409 )

Filing Date: January 23, 2002 )

For: Localized Myocardial Injection )  
Method for Treating Ischemic Myocardium )

Group Art Unit: 1632

Examiner: Shukla, Ram R FEB 23 2004

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**RESPONSE AND PRELIMINARY AMENDMENT**

In response to the Office Action dated December 22, 2003 setting forth a restriction requirement and in accordance with the provisions of 37 C.F.R. §§ 1.111 and 1.143, Applicant hereby requests reconsideration and provisionally elects, with traverse, the subject matter of Group I, Claims 1-3, 15, 17, 19, 21, 36-40 and 52-54, directed to methods of delivering a therapeutic agent into ischemic or diseased heart via intramyocardial delivery of the agent into normal heart tissue in the heart, as well as use of similar delivery methods to stimulate collateral blood vessel formation in the myocardium, to induce angiogenesis in the myocardium, to improve contractile function in the ischemic heart and to promote tissue regeneration in an ischemic or diseased heart.